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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

10 KEITH K. LY,

11 Plaintiff,

12 v.

13 UNITED STATES OF AMERICA,

14 Defendant.

CASE NO. C17-1653-MJP

ORDER DIRECTING THE UNITED
STATES TO ANSWER § 2255
PETITION

15 This matter comes before the Court on Petitioner's Motion to Vacate, Set Aside,
16 or Correct Sentence Pursuant to 28 U.S.C. § 2255. (Dkt. No. 1). After a preliminary review of
17 the motion, the Court ORDERS as follows:

- 18 1. Within forty-five (45) days of the date of this Order, the United States shall file and serve
19 an Answer in accordance with Rule 5 of the Rules Governing Section 2255 Cases in
20 United States District Courts. As part of its Answer, the United States shall state its
21 position as to whether an evidentiary hearing is necessary, whether any discovery is
22 necessary, whether there is any issue as to abuse or delay under Rule 9, and whether
23 Petitioner's motion is barred by the statute of limitations.
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- 1 2. On the face of its Answer, the United States shall note this matter for the fourth Friday
2 following the filing of its Answer, and the Clerk shall note the matter on the Court's
3 docket accordingly.
- 4 3. Petitioner may file a Reply to the Answer no later than the noting date.

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6 The clerk is ordered to provide copies of this Order to Petitioner and all counsel.

7 Dated January 5, 2018.

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10 Marsha J. Pechman
United States District Judge

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